



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2018

CORAM:

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND**

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.[MD].No.18952 of 2018

and

W.M.P.(MD) Nos.16773 and 16774 of 2018

N.Manikandan

: Petitioner

Vs.

- 1.The State Government of Tamil Nadu,
represented by its Secretary to the Government,
Department of Food and Cooperative Societies,
Chennai - 5.
- 2.The Election Commissioner,
Tamil Nadu State Co-operative Societies,
Election Commission,
No.273, Kamadhenu Supermarket (1st Floor),
Annasalai,
Chennai - 600 018.
- 3.The Deputy Registrar of Cooperative Societies,
The District Election Officer,
Nagercoil Range,
Nagercoil,
Kanyakumari District.
- 4.The Election Officer,
903, Peruvalam Primary Agricultural Cooperative
Credit Society,
Working as Branch Manager,
Kanyakumari District Central Cooperative Bank, Nagercoil.
- 5.Kalaiselvan
- 6.903, Peruvalam Primary Agricultural Cooperative
Credit Society,
represented by its Special Officer,
Peruvalam,
Kanyakumari District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned publication of list dated 27.08.2018 published by the fourth respondent and consequently



directing the respondent 2 to 4 to accept the nomination of the petitioner and to conduct the election afresh in a fair, unbiased and democratic manner in respect of the sixth respondent Society viz., 903, Peruvalam Primary Agricultural Cooperative Credit Society, Peruvalam, Kanyakumari District.

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For Petitioner : Mr.M.P.Senthil
For R1 to R4 : Mr.K.Chellapandian, AAG, assisted by
Mr.A.K.Baskara Pandian, SGP.

O R D E R

[Order of the Court was made by M.M.SUNDRESH, J.]

Admittedly, the election is over. Thus, we are of the view that inasmuch as the election is already over, the only way open to the petitioner is to invoke Section 90 of the Tamil Nadu Co-operative Societies Act, 1983. Therefore, we do not find any merit in this Writ Petition. Considering the facts and circumstances of the case, the petitioner is given two weeks time from the date of receipt of a copy of this order to raise dispute before the Registrar of Co-operative Societies. As and when such dispute is raised, the Registrar concerned shall consider and dispose of the same within a period of three months thereafter. Needless to say that if any such application for interim order is filed, the same can also be considered by the authority concerned as per law.

2. The Writ Petition is disposed of with the above observation. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

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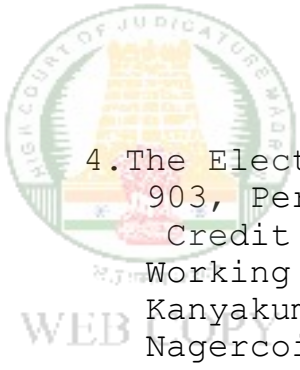
Sub Assistant Registrar (CS-III)

To

1.The Secretary to Government,
Department of Food and Cooperative Societies,
Government of Tamil Nadu,
Chennai - 5.

2.The Election Commissioner,
Tamil Nadu State Co-operative Societies,
Election Commission,
No.273, Kamadhenu Supermarket (1st Floor),
Annasalai, Chennai - 600 018.

3.The Deputy Registrar of Cooperative Societies,
<https://hcservices.ecourts.gov.in/hcservices/>
The District Election Officer,
Nagercoil Range, Nagercoil, Kanyakumari District.



4.The Election Officer,
903, Peruvalam Primary Agricultural Cooperative
Credit Society,
Working as Branch Manager,
Kanyakumari District Central Cooperative Bank,
Nagercoil.

+1CC TO MR.M.P.SENTHIL, ADVOCATE IN SR.No.81387.

+1CC TO SPECIAL GOVERNMENT PLEADER IN SR.No.81772.

MM/NB

DS RP SAR-3 :04.09.2018: 3P/7C

ORDER MADE IN
W.P.[MD].No.18952 of 2018
31.08.2018